

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

*In re*

BROADBAND OFFICE, INC.,

Debtor.

BROADBAND OFFICE, INC.,

Plaintiff,

vs.

TECHNOLOGY CREDIT CORPORATION  
d/b/a EXTREME NETWORKS CREDIT  
CORPORATION, EXTREME NETWORKS,  
INC., and KEY EQUIPMENT FINANCE,  
INC. f/k/a KEY CORPORATE CAPITAL,  
INC. f/k/a LEASTEC CORPORATION

Defendants.

Civil Action No. 04-407 (GMS)

Bankruptcy Case No. 01-172 (GMS)

Chapter 11

**DEFENDANT EXTREME NETWORKS, INC.'S  
MOTION FOR SUMMARY JUDGMENT**

Defendant Extreme Networks, Inc. ("Extreme Networks"), by this motion (the "Motion for Summary Judgment"), seeks the entry of an Order of this Court granting summary judgment in its favor, under and pursuant to Rule 56 of the Federal Rules of Procedure (the "Federal Rules"), and dismissing, with prejudice, any and all claims asserted against it by plaintiff Broadband Office, Inc. ("Broadband").

This Motion for Summary Judgment is presented with and supported by the Opening Brief in Support of Defendant Extreme Network, Inc.'s Motion for Summary Judgment, the Affidavit of Ricardo Palacio in Support of Defendant Extreme Networks, Inc.'s Motion for Summary Judgment, the Appendix of Evidence in Support of Defendant Extreme Networks,

Inc.'s Motion for Summary Judgment, each filed concurrently herewith, and the relevant papers and pleadings on file with the Court in this matter.

WHEREFORE, Extreme Networks respectfully requests that the Court: (i) grant summary judgment in its favor, (i) dismiss the Amended Complaint, with prejudice, as against Extreme Networks, and (iii) grant such other relief as the Court deems just and proper.

Dated: March 15, 2007

ASHBY & GEDDES, P.A.



William P. Bowden (I.D. #2553)  
Ricardo Palacio (I.D. #3765)  
500 Delaware Avenue, 8<sup>th</sup> Floor  
Wilmington, Delaware 19899  
Telephone: (302) 654-1888  
Facsimile: (302) 654-2067

-and-

WINSTON & STRAWN LLP

David A. Honig  
Todd J. Dressel  
101 California Street  
San Francisco, California 94111  
Telephone: (415) 591-1000  
Facsimile: (415) 591-1400

*Co-Counsel for Defendant Extreme Networks, Inc.*